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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/778,562	02/07/2001	Tal Cohen	11588.109220 (COHEN1)	4401

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EXAMINER

SAX, STEVEN PAUL

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 01/16/2004

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/778,562

Applicant(s)

COHEN ET AL.

Examiner

Steve Sax

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-11, 24-29 and 42-45 is/are rejected.
- 7) ☒ Claim(s) 4, 12-23 and 30-41 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

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DETAILED ACTION

1. This application has been examined.
2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

- (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or
- (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

3. Claims 1-3, 5-11, 24-29, 42-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Murphy (6615247).
4. Regarding claim 1, Murphy shows a method for modifying the structure of a network accessible website based on the analysis of activity associated with the website (abstract, column 2 lines 37-63), including: monitoring activity associated with the website (column 3 lines 32-44), maintaining data representative of the activity and a present structure of the website (column 3 lines 40-55, column 4 lines 12-25), applying a set of rules to generate a recommendation (column

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4 lines 32-42) to modify the structure of the website based on the recommendation (column 3 lines 50-65, column 4 lines 42-65, column 5 lines 5-16. Note the 'rules' include comparisons and resultant actions based on matches, etc.).

5. Regarding claim 2, the website includes a homepage, objects of interest, all being accessible by a network address which identifies the structure of the website (inherent, column 3 lines 35-45, column 4 lines 50-60).

6. Regarding claim 3, the website is accessed via the address (column 3 lines 35-45), the structure data of the website is parsed to generate the present structure (column 3 lines 35-50), and the data representative of the presents structure is stored (column 4 lines 50-60).

7. Claims 5-7 show the same features as claims 1-3 respectively and are rejected for the same reasons.

8. Regarding claim 8, the activity is comprised of user sessions, or user accesses, in which a user is identified and data associated with the session is stored (column 3 lines 15-20 and 39-50).

9. Regarding claim 9, the order and time of user accesses to the website's objects of interest are retrieved (column 4 lines 42-60. The tracking provides the order and time).

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10. Claims 10-11 show the same features as 8-9 respectively and are rejected for the same reasons.

11. Regarding claims 24-25, customizing is performed via human intervention based on the recommendations (column 4 lines 32-42).

12. Claims 26-29 show the same features as claims 8-11 and are rejected for the same reasons.

13. Claims 42-43 show the same features as claims 24-25 respectively and are rejected for the same reasons.

14. Claims 44-45 show the same features as claim 1 and are rejected for the same reasons.

15. Claims 4, 12-23, 30-41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. These claims bring out additional features such as alias and page distance retrievals and processes, CLASS and other special structure creations, anomaly

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grouping, matrix creation, which combined in the claims are not set forth in the prior art of record.

16. Any inquiry concerning this communication should be directed to Steve Sax at telephone number (703) 305-9582.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Sax whose telephone number is (703) 305-9582. The examiner can normally be reached on Monday - Friday from 8:30 AM to 5:00 PM.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703) 872-9306

Official Communication

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.


STEVEN SAX
PRIMARY EXAMINER